

REMARKS

With the foregoing amendment claims 2, 4-7, 9-11, 13, 14, and 16-34, are pending in the application. Claims 6, 10, 14, 21, 25, and 27 are independent. No new matter has been added by the amendments. Applicants respectfully request reconsideration of the present application.

I. Allowable Subject Matter

Applicants wish to thank the Examiner for indicating that claims 7, 11, and 16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

II. Claim Amendments

Claims 6, 10 and 14 have been amended to include the features of original independent claims 1, 8, and 12 respectively. Accordingly, claims 6, 10 and 14 are now in independent form. Additionally, claims 2, 4, 5 and 7 have been amended to depend from claim 6, claims 9 and 11 have been amended to depend from claim 10, and claims 13 and 16-20 have been amended to depend from claim 14.

III. Claim Rejection(s) Under 35 U.S.C. 102

Claims 1-5, 8, 9, 12, 13, and 17-20 stand rejected under 35 U.S.C. 102(e) as being anticipated by Niikawa et al. (US 2002/0171747) (hereafter "Niikawa"). Applicants respectfully submit that the rejection of claims 1-5, 8, 9, 12, 13 and 17-20 is now moot in view of the claim amendments above.

IV. Claim Rejection(s) Under 35 U.S.C. 103

Claims 6, 10, and 14 are rejected under 35 U.S.C. 103 as being unpatentable over Niikawa in view of Hirasawa (US 5,579,048) (hereafter "Hirasawa"). Applicant respectfully traverses.

Claim 6 is patentable over Niikawa in view of Hirasawa because neither Niikawa nor Hirasawa, considered alone or in combination, teach or suggest all of the features of claim 6. For example, at the least, neither Niikawa nor Hirasawa teach or suggest “[a] status display control device [that] controls horizontal and/or vertical movements of [a] status display within [a] camera-back display [located on a back region of said main body],” as is recited in claim 6.

As correctly pointed out in the Office Action, Niikawa does not teach or suggest this feature of claim 6. However, the Office Action contends that Hirasawa makes up for the deficient teachings of Niikawa. Applicant respectfully disagrees.

More specifically, the Office Action contends that Hirasawa “teaches the use of switching control device to move a menu within a camera-back display.”¹ This contention is wrong. Hirasawa does not teach moving a menu within a camera-back display.

Hirasawa discloses moving a menu within a monitor (12d) of an electronic view finder (12) (or “finder” for short). A monitor of an electronic view finder (EVF) is not the same thing as a “camera-back display.” Thus, Hirasawa does not teach moving a menu within a camera-back display, as is required by claim 6. Anyone skilled in the art would agree that a camera-back display and an EVF are two separate and distinct elements of an image capturing device. For example, Niikawa itself illustrates that an EVF and a camera-back display are two separate and distinct elements. Accordingly, an EVF is not the same thing as a camera-back display. Thus, as stated above, Hirasawa only discloses moving a menu within an EVF. Hirasawa simply does not teach or suggest moving a menu within a camera-back display. Accordingly, for this reason alone, Hirasawa does not make up for the deficient teachings of Niikawa.

Moreover, even if we were to assume for the sake of argument that Hirasawa discloses moving a menu within a camera-back display, the combination of Hirasawa with Niikawa does not render claim 6 obvious because claim 6 requires moving a status display within the camera-back display, not a menu. The Office Action appears to equate “a menu” with a “status display.” However, the two are not the same (nor are they equivalent). A “status display,” as is evident from the specification of the present application and as is well

¹ Office Action, p. 7 (emphasis added)

known to those skilled in the art, is a display area within which status information is displayed. In contrast, a menu is “a list from which the user may select an operation to be performed.”² Accordingly, a “status display” does not read on a “menu.” Accordingly, the fact that Hirasawa discloses moving a menu within some display is completely irrelevant because claim 6 requires moving a “status display.” For this additional reason, Hirasawa does not make up for the deficient teachings of Niikawa.

In short, neither Niikawa nor Hirasawa, considered alone or in combination, teach or suggest “[a] status display control device [that] controls horizontal and/or vertical movements of [a] status display within [a] camera-back display [located on a back region of said main body],” as is recited in claim 6. Therefore, Applicant respectfully requests that the rejection of claim 6 (and all of the claims that depend therefrom) be withdrawn.

With respect to claims 10 and 14, the above remarks apply because, like claim 6, claims 10 and 14 require providing controls to enable horizontal and/or vertical movements of the status display within the camera-back display. Thus, Applicant respectfully requests that the rejection of claims 10 and 14 (and all of the claims that depend therefrom) be withdrawn.

V. New Claims

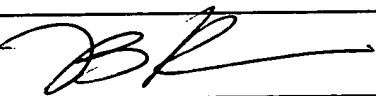
New claims 21-34 are added. Claim 21 corresponds to claim 7 rewritten in independent form including all of the limitations of claim 1 (the base claim), and claims 22-24 depend from claim 21. Claim 25 corresponds to claim 11 rewritten in independent form including all of the limitations of claim 8 (the base claim), and claim 26 depends from claim 25. Claim 27 corresponds to claim 16 rewritten in independent form including all of the limitations of claim 12 (the base claim), and claims 28-34 depend from claim 27. Accordingly, claims 21-34 are allowable.

² The Free On-Line Dictionary of Computing, <http://foldoc.doc.ic.ac.uk/foldoc>

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections, and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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